

Board of Respiratory Care
Minutes

Date: May 25, 2004

Time: 9:00 a.m., C.S.T.

Location: Cumberland Room
Ground Floor, Cordell Hull Building
425 5th Avenue North
Nashville, TN 37247-1010

Members Present: Billy Alred, Chair
Candace Partee
Delmar Mack, Ed.D.
Timothy McGill
James Hunter, II
Charles Brownlee
Shirley Brackett
Tina Dudney

Staff Present: Tomica Walker, Board Administrator
Marva Swann, Unit Director
Robbie Bell, Health Related Boards Director
Nicole Armstrong, Advisory Attorney
Jerry Kosten, Regulations Manager
Lea Phelps, Disciplinary Coordinator

A quorum being present, Mr. Alred, Chair, called the meeting to order at 9:00 a.m.

Office of General Counsel

Ms Armstrong informed the Board that there are a total of 23 open cases in the Office of General Counsel. Ms. Armstrong also reminded the Board of their responsibilities under the Conflict of Interest policy.

Minutes

A motion was made by Mr. Hunter and seconded by Ms. Partee to adopt the minutes as corrected. The motion carried.

Rules

Mr. Kosten informed the Board that the results from the Rulemaking Hearing held May 7, 2004, has been deferred until the next scheduled Board meeting to be held on August 24, 2004.

Mr. Kosten presented to the board rule 1330-1-.12 that pertains to continuing education. After discussion, Mr. Hunter made a motion to authorize a rulemaking hearing. Dr. Mack seconded the motion. Motion carried.

Applicant Interviews

Rubin Coffey – Mr. Coffey came before the Board applying to be licensed by reciprocity. After interviewing Mr. Coffey, a motion was made by Ms. Partee and seconded by Dr. Dudney to approve Mr. Coffey for licensure. The motion carried.

Tari Dickerson- Ms. Dickerson appeared before the Board applying to be licensed as a new graduate. After interviewing Ms. Dickerson, a motion was made by Mr. McGill and seconded by Ms. Brackett to approve Ms. Dickerson for licensure. Motion carried.

Eduardo Mendoza – Mr. Mendoza appeared before the Board applying to be licensed by reciprocity. After interviewing Mr. Mendoza, a motion was made by Mr. Hunter and seconded by Ms. Brackett to defer Mr. Mendoza's application for licensure until the next scheduled Board meeting. Mr. Mendoza must be evaluated by Tennessee Professional Assistance Program, known as TNPAP. The motion carried.

Sabrina Shrader – Ms. Shrader appeared before the Board applying to be licensed as a new graduate. After interviewing Ms. Shrader, a motion was made by Ms. Partee and seconded by Dr. Dudney to approve Ms. Shrader for licensure. The motion carried.

Maranda Wilkerson – Ms. Wilkerson came before the Board applying to be licensed as a new graduate. After interviewing Ms. Wilkerson, a motion was made by Ms. Partee and seconded by Mr. Hunter to approve Ms. Wilkerson for licensure. The motion carried.

Daniel Coleman – Mr. Coleman was brought back before the Board after a 6 month re-evaluation required by the Board from TNPAP. After reviewing the required information, a motion was made by Dr. Mack and seconded by Ms. Brackett to approve Mr. Coleman for licensure. The motion carried.

James Bergman - Mr. Bergman came before the Board applying for reinstatement of his license. After interviewing Mr. Bergman, a motion was made by Dr. Mack and second by Ms. Brackett to approve Mr. Bergman for licensure. The motion carried.

Margaret Mahdi – Mrs. Walker brought Ms. Mahdi's application before the Board. After reviewing the information received, a motion was made by Dr. Dudney and seconded by Mr. Hunter to defer Ms. Mahdi's application for licensure until the next scheduled board meeting. Ms. Mahdi must provide additional information regarding her conviction. The motion carried.

James Gaither – Mrs. Walker brought Mr. Gaither reinstatement application before the Board. After reviewing the information received, a motion was made by Dr. Mack and seconded by Ms. Partee to approve Mr. Gaither for licensure. The motion carried.

Continuing Education Waiver Requests/Course Approval

Judith Bracey – After review of the information submitted by Ms. Bracey in support of her request to have the continuing education hours for the 2002 calendar year waived, a motion was made by Dr. Dudley and seconded by Mr. Brownlee to defer Ms. Bracey's request pending a notarized statement from her doctor at the time of her diagnosis. The motion carried.

Administrative Report

Mrs. Walker presented the following statistical information to the Board for their information:

RRT	CRT	RCA
Active Licensees – 1980	Active Licensees – 1814	Active Licensees – 39
Retired Licensees – 238	Retired Licensees – 313	Retired Licensees – 26
Failed to Renew – 540	Failed to Renew – 998	Failed to Renew – 89

Mrs. Walker also informed the Board that the downgrade from RRT to CRT is still in the process upon renewal of the certification.

Disciplinary Report

Ms. Phelps presented the disciplinary report which indicated that the one licensee currently under disciplinary action is in compliance with their disciplinary orders.

Financial Report

Ms. Walker presented the financial reports which indicated that the anticipated surplus as of June 30, 2003 is \$266,480.00.

Investigative Report

Ms. Phelps presented the Investigative Report which indicated that thirteen (13) cases were currently under investigation.

Tennessee Professional Assistance Program

Ms. Leanne Busby, Director of Tennessee Professional Assistance Program presented the Quarterly Report which indicated that five (5) persons are currently under contract and one (1) person is in the intake process. Ms. Busby then explained the program for the benefit of the new members. She reminded the Board members that regardless of the evaluator's recommendations they could require an applicant to sign a contract as a condition of their licensure.

Disciplinary Guidelines

Ms. Bell made a presentation to the Board for them to discuss, review, and take action if needed on the new disciplinary guidelines that had been proposed to the Board. After reviewing the information received, a motion was made by Ms. Partee and seconded by Mr. Hunter to accept the new disciplinary guidelines and retain the fees from the old guidelines. The motion carried.

Ms. Bell made a presentation on Public Chapter 575 concerning hiring an independent reviewer to come in and review files. After reviewing the information received, a motion was made by Ms. Partee and seconded by Mr. Brownlee to approve Public Chapter 575. The motion carried.

Ratifications

A motion was made by Ms. Partee and seconded by Mr. Hunter to approve the list of Registered Respiratory Therapists and Certified Respiratory Therapists. The motion carried.

Adjournment

There being no further business, the meeting was adjourned at 11:00 a.m.

TW/G4014222/RCmin